

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JULIO LUIS RIVERA,

Defendant.

4:7CR3122

**FINDINGS AND
RECOMMENDATION**

Defendant, together with counsel and in the presence of counsel for government, appeared before the undersigned magistrate judge to admit to Allegation 1 of Amended Petition alleging Supervised Release violations. Defendant was advised of the right to appear before a United States District Judge, and agreed to enter a guilty plea before a magistrate judge.

After being sworn, Defendant was advised of the allegations and possible penalties, and was orally examined in open court as required by Federal Rule of Criminal Procedure 32.1. Defendant was also given the advice required by federal law. Finally, Defendant was given an opportunity to address the court, and ask questions.

Counsel for the government and counsel for Defendant were given the opportunity to suggest additional questions by the court. Moreover, both counsel orally certified that they believed Defendant's admission to Allegation 1 of the Amended Petition was knowing, intelligent and voluntary, and that there was a factual basis for it.

Having questioned Defendant and considered the Defendant's responses, the undersigned magistrate judge finds and concludes that (1) Defendant's admission is knowing, intelligent, and voluntary; (2) there is a factual basis for it; and (3) the parties

and the court have complied with the provisions of Rules 11 and 32.1 and any other provisions of the law governing the submission of guilty pleas.

IT IS RECOMMENDED to the Honorable Richard G. Kopf, Senior United States District Judge, that after de novo review, the court accept Defendant's admission and find the defendant guilty of the violations the terms of his Supervised Release as alleged in Allegation 1 of the Amended Petition.

The court finds that in the interest of obtaining a just, efficient, and expeditious resolution of this case, the deadline for objecting to the findings and recommendation herein should be shortened. (See NEGenR [1.1](#)(c)). Therefore, if any party desires to object to the findings and recommendation, they shall do so no later than 14 calendar days following the date of the filing of the plea transcript, or the audio recording of the proceeding, whichever is earlier, or they may be deemed to have waived the right to object to adoption of the findings and recommendation.

November 21, 2016.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge

Dated this 21st day of November, 2016

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge